

April 14, 2003

Honorable Board of Supervisors  
County of Los Angeles  
Kenneth Hahn Hall of Administration, Room 383  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**ZONE CHANGE CASE NO. 99-020-(5)  
CONDITIONAL USE PERMIT 99-020-(5)  
TENTATIVE TRACT MAP 52829-(5)  
PETITIONER: DENTEC HOLDINGS, INC  
1843 BUSINESS CENTER DRIVE  
DUARTE, CALIFORNIA 91010  
NEWHALL ZONED DISTRICT  
FIFTH SUPERVISORIAL DISTRICT (3-VOTE)**

**IT IRECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING:**

1. Consider the Negative Declaration for Zone Change 99-020-(5), Conditional Use Permit 99-020-(5) and Vesting Tentative Tract Map 52829, together with any comments received during the public review process, find on the basis of the whole record before the Board that there is no substantial evidence the project will have a significant effect on the environment with the implementation of the required mitigation measures, find the Mitigated Negative Declaration reflects the independent judgment and analysis of the Board, and adopt the Mitigated Negative Declaration.
2. Instruct County Counsel to prepare the ordinance to change zones within the Newhall Zoned District as recommended by the Regional Planning Commission (Zone Change No. 99-020-(5)).
4. Instruct County Counsel to prepare the necessary findings to affirm the Regional Planning Commission's approval of Conditional Use Permit 99-020-(5) and Vesting Tentative Tract Map 52829.

**PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

- Establish development standards that ensure future development on the subject property will be compatible with the goals and policies of the Countywide General Plan and the Santa Clarita Valley Area Plan.
- Update the zoning on the subject property to allow the property owner to develop

the property with uses compatible with the existing surrounding uses.

### Implementation of Strategic Plan Goals

This zone change, conditional use permit and vesting tentative tract map promote the County's Strategic Plan goal of fiscal integrity. The project will include public infrastructure including new roads, and will provide access to an adjacent parcel proposed for a new school.

This zone change, conditional use permit and vesting tentative tract map will also promote the County's vision for improving the quality of life in Los Angeles County. The project allows for the provision of additional housing and recreational opportunities. A total of 95 single-family residences will be created.

Additionally, the project promotes the County's Strategic Plan goal of service excellence in that County staff worked with the project applicant to implement the Regional Planning Commission's direction that the project consider the spirit of the proposed joint Los Angeles County/City of Santa Clarita One Valley, One Vision plan. The project was redesigned in response to city staff's comment letters and oral testimony.

### **FISCAL IMPACT/FINANCING**

Implementation of the proposed zone change and approval of the conditional use permit and vesting tentative tract map should not result in any new significant costs to the County or to the Department of Regional Planning; no request for financing is being made.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The Regional Planning Commission conducted concurrent public hearings on Zone Change and Conditional Use Permit Case Nos. 99-020-(5) and Vesting Tentative Tract Map 52829-(5) on December 5, 2001, February 20, 2002, April 10, 2002, June 5, 2002 and September 4, 2002. The requests before the Commission were: 1) a zone change from the existing A-2-2 to A-2-1 on 57.02 acres and to R-1-7,000 on 18.04 acres 2) a conditional use permit to authorize a density controlled development and to ensure compliance with hillside management design criteria, 3) Vesting Tentative Tract Map 52829-(5) to create 95 single family lots, 1 park lot, 1 open space lot and 2 landscape lots. The Regional Planning Commission voted to recommend approval of the requested zone change and to approve the conditional use permit, oak tree permit, and vesting tentative tract map at their March 19, 2003 meeting.

Pursuant to subsection B.2 of Section 22.60.230 of the County Code, the conditional use permit and vesting tentative tract map are deemed to be called for review by your Board and shall be considered concurrently with the recommended zone change. A public hearing is required pursuant to Section 22.16.200 of the County Code and Sections 65335 and 65856 of the Government Code. Notice of the hearing must be given pursuant to the procedures set forth in Section 22.60.174 of the County Code. These procedures exceed the minimum standards of Government Code Sections 6061, 65090, 65355 and 65856 relating to notice of public hearing.

## **ENVIRONMENTAL DOCUMENTATION**

The proposed zone change, conditional use permit and tentative tract map will not have a significant effect on the environment. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act and the environmental guidelines and reporting procedures of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on biota, archeology and visual resources. The applicant made or agreed to revisions in the project that would avoid the effects or mitigate the effects to a point where clearly no significant impacts would occur. Based on the Initial Study, project revisions, and the implementation of required mitigation measures, there is no substantial evidence that the project may have a significant effect on the environment, and the Department of Regional Planning has prepared a Mitigated Negative Declaration for this project. The Regional Planning Commission has recommended approval of the Mitigated Negative Declaration.

Based on the Mitigated Negative Declaration, adoption of the proposed zone change will not have a significant effect on the environment.

## **IMPACT ON CURRENT SERVICES OR (OR PROJECTS)**

Action on the proposed zone change is not anticipated to have a negative impact on current services.

Respectfully Submitted,

DEPARTMENT OF REGIONAL PLANNING  
James E. Hartl, AICP, Director of Planning

Frank Meneses, Acting Administrator  
Current Planning Division

FM:EF:ef

Attachments: Commission Resolution, Legal Descriptions, Commission Findings & Conditions, Commission Staff Report & Attachments, Zone Change Map, Tentative Tract Map

C: Chief Administrative Officer  
County Counsel  
Assessor  
Director, Department of Public Works

Los Angeles County Department of Regional  
Planning  
320 West Temple Street, Los Angeles, California 90012  
Telephone (213) 974-6443

**PROJECT No. 99-020-(5) CUP & ZC**  
**TRACT MAP NO. 52829**

RPC/ <b>HO</b> MEETING DATE March 19 2003	CONTINUE TO
AGENDA ITEM	

**PUBLIC HEARING DATE**  
 December 5, 2001, February 20, 2002,  
 April 10, 2002, June 5, 2002,  
 September 4, 2002

<b>APPLICANT</b> Dentec Holdings	<b>OWNER</b> Dentec Holdings	<b>REPRESENTATIVE</b> Ron Brown/Daniel Singh
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**REQUEST**

Tentative Tract Map: To create 97 single family lots and 1 open space lot

Zone Change: A request to change the existing A-2-2 zoning to A-2-1 and R-1-7,000

Conditional Use Permit: To authorize a density controlled development and to ensure compliance with hillside management design review criteria

**LOCATION/ADDRESS**

of the terminus of Urbandale Avenue and westerly of the terminus of  
 Avenue

ndale Avenue

**ZONED DISTRICT**

Newhall

**COMMUNITY**

Saugus

**EXISTING ZONING**

A-2-2

<b>SIZE</b> 75.06 acres	<b>EXISTING LAND USE</b> Vacant	<b>SHAPE</b> Irregular	<b>TOPOGRAPHY</b> Hilly
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**SURROUNDING LAND USES & ZONING**

**North:** Single-family residences

**East:** Single-family residences/R-1-6,  
 500 (City of Santa Clarita)

**South: Public Park/Elementary school**  
**Single-family residences/R-1-6,500**  
**(City of Santa Clarita)**

**West:** Utility Powerlines

		<b><u>DESIGNATION</u></b>	<b><u>MAXIMUM DENSITY</u></b>	<b><u>CONSIDERATION</u></b>	
Los Angeles Countywide General Plan	Low Density Residential (1-6 du/ac)				
	Non urban				
Santa Clarita Valley Area Plan	U1,N2, U2, U3, HM	165		HM CUP required	

**ENVIRONMENTAL STATUS**

Mitigated Negative Declaration

**DESCRIPTION OF SITE PLAN**

The tentative tract map depicts the 95 single family residences taking access from Franwood Drive and "B" Street via a system of private and future cul-de-sac streets of 60' in width. The lots range in size from 7,418 square feet to 64,988 square feet. The majority of the lots are in the 15,000- 20,000 square foot range. One 18.5 acre open space lot with a hiking trail easement is located to the north of the single-family lots, A 2 acre park is located on "B" street and 2 landscape lots are located adjacent to the dual cul-de-sacs at the terminus of Urbandale Avenue.

**KEY ISSUES**

- Transfer of urban density to a designated non-urban area
- Adherence to One Valley, One Vision plan

*(If more space is required, use oppo***TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS**

STAFF CONTACT PERSON Ellen Fitzgerald		
RPC HEARING DATE (S) Dec.5, 2001, Feb.20, 2002, April 10, 2002, June 5, 2002, Sept. 4, 2002	RPC ACTION DATE March 19, 2003	RPC RECOMMENDATION Approval
MEMBERS VOTING AYE 5	MEMBERS VOTING NO 0	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING) Approval		
SPEAKERS*  (O) 12 (F) 5	PETITIONS  (O) 2 (F)	LETTERS  (O) 34 (F) 2

\*(O) = Opponents (F) = In Favor

CERTIFIED-RECEIPT  
REQUESTED

March 24, 2003

Dentec Holdings, Inc.  
1843 Business Center Drive  
Duarte, California 91010

Gentlemen:

**SUBJECT:                ZONE CHANGE 99-020-(5)  
                              CONDITIONAL USE PERMIT 99-020-(5)  
                              VESTING TENTATIVE TRACT MAP 52829-(5)**

A public hearing on Zone Change 99-020-(5), Conditional Use Permit 99-020-(5) Tree and Vesting Tentative Tract Map 52829 was held before the Regional Planning Commission on December 5, 2001, February 20, 2002, April 10, 2002, June 5, 2002 and September 4, 2002.

After considering the evidence presented, the Regional Planning Commission, in its action on March 19, 2003, recommended that the Board of Supervisors approve the requested Zone Change, and approved the Conditional Use Permit and Vesting Tentative Tract Map in accordance with Los Angeles County Code Title 22 (Zoning Ordinance) and the Subdivision Map Act. The change of zone is currently pending. The conditional use permit and the vesting tentative tract map are not effective until the change of zone is adopted by the Board of Supervisors. All entitlements will be submitted to the Board of Supervisors for review in conjunction with the Board public hearing on the Zone Change.

The action on the conditional use permit and vesting tentative tract map authorize:

- (a) the development of the subject property in compliance with hillside management design review and density controlled development criteria
- (b) the subdivision of the 75.06 acre project site into 95 single-family lots, 1 park lot, 1 open space lot and 2 landscape lots.

Your attention is called to the following:

1. Condition No.2 of the Conditional Use Permit provides that the permits shall not become effective for any purpose until the applicant and the owner of the property

involved, or their duly authorized representative, have filed at the office of the Department of Regional Planning the affidavit stating that they are aware of and accept all of the conditions of the permits.

2. Condition No. 4 of the conditional use permit points out the limitations of the grant.
3. During the fifteen-day period following your receipt of this letter, the Regional Planning Commission's action may be appealed to the Board of Supervisors. If you wish to appeal this decision to the Board, you must do so in writing. Your appeal should be filed with the Office of the Clerk of the Board, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Please contact the Clerk of the Board of Supervisors at (213)974-1432 for the current appeal fee. The permit will not become effective until and unless the appeal period has passed without the filing of an appeal.
4. The decision of the Regional Planning Commission regarding the vesting tentative tract map shall become effective on the date of the decision, provided no appeal of the action taken has been filed with the Board of Supervisors within ten days following the decision of the Planning Commission.

The vesting tentative tract map approval shall expire 2 years from the date of action by the Board of Supervisors. If the subject tentative map does not record prior to the expiration date, a request in writing for an extension of the approval, accompanied by the appropriate fee, must be received prior to the expiration date. Pursuant to Section 22.56.140 (4) of the Los Angeles County Code (Zoning Ordinance), the conditional use permit shall be null and void unless it is utilized prior to the expiration of the tentative tract map. Recordation of the tentative tract map shall constitute use of this permit.

Time extension granted for the tract map shall also apply to the conditional use permit.

The recommended change of zone is from A-2-2 to A-2-1(Heavy Agriculture—2 acre minimum lot area) on 57.02 acres and to R-1-7,000 (Single-Family Residential-7,000 square foot min. lot area) on 18.04 acres.

If you have any questions regarding this matter, please contact Ms. Ellen Fitzgerald of the Land Divisions Section of the Department of Regional Planning at (213)974-6433, Monday through Thursday, 7:00 am to 6:00 pm. Our offices are closed on Fridays.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING  
James E. Hartl, AICP  
Director of Planning

Frank Meneses, Acting Administrator  
Current Planning Divisions

JH:DCC:ef

Enclosures: Resolution, Findings and Conditions, Legal Description, Affidavit of Acceptance, Fish and Game Fee Notification

- c: Board of Supervisors  
Subdivision Committee

**FINDINGS OF THE REGIONAL PLANNING COMMISSION FOR  
CONDITIONAL USE PERMIT 99-020-(5)**

1. The Los Angeles County Regional Planning Commission conducted a public hearing in the matter of Conditional Use Permit Case No. 99-020-(5) on December 5, 2001, February 20, 2002, April 10, 2002, June 5, 2002 and September 4, 2002. The case was heard concurrently with Zone Change Case No. 99-020-(5) and Tentative Tract Map No. 52829.
2. The applicant is proposing to construct a residential development on the subject property consisting of 95 single family residential lots, an 18.5-acre natural open space lot with a hiking trail easement, a 2-acre privately maintained park, and 2 landscape lots.
3. A conditional use permit is required to authorize the proposed density-controlled residential development in a hillside management area, pursuant to Sections 22.56.205 and 22.56.215 of the County Code.
4. A conditional use permit for a density-controlled development allows lot sizes to be averaged to conform to the minimum lot area requirements of the proposed zones and allows clustering of the units into the least environmentally sensitive areas of the site using smaller lots than are customarily permitted in the zone in which the development is proposed, while retaining the remaining portion of the property in permanent open space.
5. A conditional use permit for development in a hillside management area protects the resources in hillside areas from incompatible development, which may result in or have the potential for environmental degradation and/or destruction of life and property, and ensures to the extent possible that development maintains and, where possible, enhances the natural topography, resources and amenities of the hillside management area while allowing for limited controlled development therein.
6. The subject site is located at the terminus of Urbandale Avenue and Franwood Drive, in the Canyon Country community of the Newhall Zoned District.
7. The site is 75.06 acres in size, is irregular in shape, and has hilly topography. It is currently undeveloped.
8. Properties to the north of the subject property are presently under construction for development of single-family and multi-family residences. Directly west of the site is a 100' wide strip of property owned by the Los Angeles Department of Water and



Power containing power lines and pylons. Property west of that is developed with multi-family residences. Property to the east, located within the City of Santa Clarita, is developed with single-family residences. To the south, also within the City of Santa Clarita, is an elementary school and Bouquet Canyon park.

9. The site is zoned A-2-2 (Heavy Agriculture, 2 acre minimum required area). The zoning was established by Ordinance No. 7094, which became effective on February 5, 1957. Concurrent with this approval, however, the Commission has recommended that the Board of Supervisors approve Zone Change Case No. 99-020-(5). If approved by the Board of Supervisors, the subject property will be zoned A-2-1 on 57.02 acres and R-1-7,000 on 18.04 acres.
10. The project is consistent with the proposed A-2-1 and R-1-7,000 zoning classifications in that the proposed single family residences and park are permitted in such zones by Sections 22.20.070 and 22.24.120 of the Los Angeles County Code and a density-controlled development is permitted by Sections 22.20.100 and 22.24.150 subject to approval of a conditional use permit.
11. Surrounding zoning is R-1-5,000, R-1-3,000 and C-2-DP to the north. RPD-1-11U zoning is located to the west. Adjacent to the site at the southeast corner is property zoned A-2-2. Property to the south, east and west of the site is located within the City of Santa Clarita.
12. The subject property is depicted within the R (Non-Urban) and 1 (Low Density Residential) categories of the Countywide General Plan. The Santa Clarita Valley Area Plan designates the site as follows:
 

HM	Hillside Management	47.55 acres
N2	Non-Urban 0.5-1 dwelling units per acre	5.04 acres
U1	Urban 1, 1.1-3.3 dwelling units per acre	6.84 acres
U2	Urban 2, 3.4-6.6 dwelling units per acre	14.74 acres
U3	Urban 3 6.7-15 dwelling units per acre	.89 acres
13. The U1-designated portion of the subject property and one of the U2-designated portions are located at the north boundary of the site. These areas contain steep hillsides and are less appropriate for development than property in the N2 and HM-designated portions of the site. For this reason, the applicant has requested that the urban density permitted by these categories be transferred to other non-urban portions of the site in accordance with the provisions of the General Plan permitting urban to non-urban transfer when topographic and geologic factors justify it. Twenty (20) units are proposed to be transferred from the urban area to the non-urban area, from those portions of the site designated U1 and U2 to those designated N2 and HM. The transfer of this number of units is acceptable given the overall number of units and the topographic conditions.

After the density transfer, the project will consist of 52 dwelling units on 52.59 acres of the site designated as non-urban (N2 and HM) and 43 dwelling units on 22.44 acres of the site designated U2 and U3. The density of the proposed project is

consistent with the land use classifications of the Santa Clarita Valley Area Plan.

14. The proposed project is consistent with the goals and policies of the General Plan, including the Santa Clarita Valley Area Plan. The project concentrates land use growth adjacent to existing urban development and the proposed density transfer allows for preservation of hillsides and flexibility in design.
15. Conditional Use Permit Case No. 99-020 was heard concurrently with Zone Change Case No. 99-020-(5) and Vesting Tentative Tract Map No. 52859. Approval of Conditional Use Permit Case No. 99-020-(5) will not become effective unless and until the Board of Supervisors has adopted an ordinance effecting the change of zone and the ordinance has become effective.
16. Vesting Tentative Tract Map No. 52829 is a related request to divide the subject property into 95 single-family residential lots, an approximately 2-acre privately maintained park, an 18.5-acre open space lot with a hiking trail easement and 2 landscape lots.
17. At the public hearing, the Regional Planning Commission heard staff's presentations, the applicant's presentation and responses and testimony from neighbors opposed to the project due to concerns about traffic impacts, incompatibility with the surrounding community and with the provisions of the draft One Valley, One Vision plan, potential impacts from project lighting and grading, and the over development of the Santa Clarita Valley. In addition, the City of Santa Clarita expressed concerns regarding density, grading and recreational opportunities. The Commission also heard testimony from a representative of the Saugus Union School District in support of the project.
18. Several letters from surrounding neighbors were received in opposition to the project, as was a petition containing approximately 100 signatures mentioning concerns about overdevelopment of the Santa Clarita Valley, traffic impacts, especially on Urbandale Avenue and Rosedell elementary school and the project's excessive density. The City of Santa Clarita also submitted a comment letter in opposition to the project. The Saugus Union School District submitted a letter in support of the project.
19. In response to the Regional Planning Commission's discussion of the proposed One Valley, One Vision plan, the applicant conducted a public information meeting to gather community input.
20. The applicant's site plan, labeled Exhibit "A", shows a 75.06 acre irregularly shaped property. The site plan depicts 95 single family lots, ranging in size from a minimum of 7,418 square feet to 64,988 square feet, an approximately 2-acre park lot, an 18.5-acre open space lot with a hiking easement taking access from "E" street, and 2 landscape lots, one of 400 square feet (Lot 1) and one of 1,280 square feet (Lot 95), adjacent to the termination of "A" street.
21. Access to the site is presently provided by Urbandale Avenue and Franwood Drive. Future access to the development will be provided from Franwood Drive and a street

connection ("B" Street) to Copperhill Drive. No access will be provided from Urbandale Avenue. The elimination of the future extension of Urbandale Avenue was in response to neighbor concerns and the Commission's direction. A traffic analysis showing that the elimination of the extension would not negatively impact traffic circulation was reviewed by the Department of Public Works and the Forester and Fire Warden did not object to elimination of the additional access.

22. The Regional Planning Commission questioned the applicant on the future location of model homes and the proposed access for potential buyers to view the project site and models. The Commission and neighbors also discussed the impact of grading equipment accessing the site from local streets.
23. The applicant indicated that a \$100,000 contribution for the purchase of playground equipment would be made to the Saugus Union School District. The applicant has entered into an agreement with the Saugus Union School district, owner of the adjacent property located to the south, to provide street access to the school district property. The agreement also permits off-site grading by the applicant on the school district property.
24. The applicant redesigned the project during the public hearing process to add an approximately 2-acre privately maintained park within the boundaries of the project site and to provide a hiking easement through the open space lot, to respond to the concerns expressed by the City of Santa Clarita. The park will be developed by the project applicant and maintained by the future homeowners association.
25. The applicant proposes grading to be balanced on site. In response to concerns raised by the City of Santa Clarita, the applicant agreed to utilize grading techniques to be more compatible with the existing landform.
26. The proposed residential development will be required to comply with the development standards and requirements applicable to the R-1 and A-2 zones, as set forth in Sections 22.20.105 through 22.20.140 of the County Code.
27. The subject property contains natural slopes of 25% or greater. The slope analysis prepared for the project indicates that 17.82 acres are in the 0-25% category, 31.83 acres are in the 25-50% category, and 25.41 acres are in the 50% and above category. The slope analysis prepared for the project indicates that the maximum permitted residential density for the subject property is 165 units and the low-density threshold is 68 units. The proposed 95-unit development exceeds the low-density threshold, requiring a conditional use permit to ensure compliance with hillside management design review criteria. 52.59 acres of the site are designated non-urban and 22.44 acres are designated urban. A total of 52 dwelling units are permitted in the non-urban portion of the site, and 112 dwelling units are permitted in the urban portion. The proposed project, consisting of 52 dwelling units in the non-urban areas and 43 dwelling units in the urban designations, complies with these density thresholds.
28. The proposed project's use of clustering, considerations given to size, scale and bulk, and modification in grading technique result in a visual quality that will

complement community character and benefit current and future community residents.

29. Pursuant to Section 22.56.215.J.1 of the County Code, the proposed project is required to contain open space in an amount not less than 25 percent of the net urban hillside management area and not less than 70 percent of the net non-urban hillside management area. The proposed project has the necessary provision for open space in that 18.5 acres will remain undeveloped and a 2-acre park, a hiking trail easement and 2 landscape lots of 400 square feet and 1,280 square feet are also provided. These open space areas total 19 acres, representing 25 percent of the project area. Additional open space is comprised of portions of residential yards and landscaped slope. The open space areas provided represent over 25 percent of the net urban hillside management area and in excess of 70 percent of the net non-urban hillside management area.
30. As required by Section 22.56.215.J.1 of the County Code, provision will be made for landscaping all common or open space areas not to be left in a natural state, all utilities will be placed underground, and exterior elevation drawings indicating building heights and major architectural features shall be submitted to and approved by the Director prior to the issuance of any building permit.
31. Pursuant to Section 22.56.205 of the County Code, the applicant shall provide for the permanent reservation of all commonly owned areas, and no dwelling unit shall be sold, conveyed or otherwise alienated or encumbered separately from an undivided interest in the commonly owned areas.
32. The subject property lies within an urban expansion area and is in compliance with the County's Development Monitoring System in that:
  - a. The proposed development is consistent with the infrastructure portion (Urban Services Analysis) of the Development Monitoring System since there is adequate water service, and sewage discharge capacity will not exceed the Sanitation District's future planned capacity. These services were analyzed as part of the environmental analysis and the resultant environmental document. Appropriate fees will be paid for capital library costs to insure sufficient increased capacity to serve the project's demands. The applicant will also pay the appropriate fees to the Saugus Union School District and the Hart Union High School District, the districts serving the project site.
  - b. The proposed development is consistent with the access portion of the Development Monitoring System since there is adequate road service and commercial and employment facilities located in close proximity. The road service was evaluated as part of the environmental analysis and the resultant environmental document. The proximity to commercial and employment facilities was evaluated as part of the field investigation and/or general plan evaluation.

- c. The proposed development is consistent with the environmental portion of the Development Monitoring System since there are no significant geotechnical, flood hazard, fire, and or natural resource impacts, and the project does not affect publicly held or privately dedicated open space, as shown in the General Plan. These resources/hazards were evaluated as part of the environmental analysis and the resultant environmental document.
33. The project, in summary:
- a. avoids premature conversion of undeveloped land to urban use because it is proximate to and a natural extension of existing development;
  - b. promotes a distribution of population consistent with service system capacity, resource availability, environmental limitations and accessibility;
  - c. directs urban development and revitalization efforts to protect natural and man-made amenities and to avoid severe hazard areas, such as flood prone areas, active fault zones, steep hillsides, landslide areas and fire hazard areas;
  - d. encourages the efficient use of land through a more concentrated pattern of urban development, including the focusing of new urban growth into areas of suitable land;
  - e. ensures that new development in urban expansion areas will occur in a manner consistent with stated plan policies and will pay for the marginal public costs that it generates;
  - f. focuses intensive urban uses in an inter-dependent system of activity centers located to effectively provide services throughout the urban area, including adequate transportation facilities; and
  - g. provides for higher densities of housing to meet increasing demand in areas which will have relatively lesser environmental consequences.
34. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act and the environmental document reporting procedures and guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on biota, archeology and visual resources. Prior to the release of the proposed Mitigated Negative Declaration and Initial Study for public review, the applicant made or agreed to revisions in the project that would avoid or mitigate the effects to a point where clearly no significant effects would occur. The Initial Study and project revisions showed that there is no substantial evidence, in light of the whole record before the Commission, that the project as revised may have a significant effect on the environment. Based on the Initial Study and project revisions, the Department of Regional Planning has prepared a

Mitigated Negative Declaration for this project. Conditions or changes in the proposed project are necessary in order to ensure the proposed project will not have a significant effect on the environment, and such conditions or changes have been included in the Mitigation Monitoring Program.

35. Approval of this conditional use permit is conditioned on the permittee's compliance with the attached conditions of approval as well as the conditions of approval for Vesting Tentative Tract Map No. 52829. Additionally, the mitigation measures contained in the Mitigated Negative Declaration are incorporated into the conditions of approval for this permit.
36. The applicant has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.

**BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:**

- A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted general plan for the area;
- B. With the attached conditions and restrictions, that the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare;
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the used in the surrounding area;
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private facilities as are required;
- E. That the proposed project is located and designed so as to protect the safety of current and future community residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow, or erosion hazard;
- F. That the proposed project is compatible with the natural biotic, cultural, scenic and open space resources of the area;

- G. That the proposed project is conveniently served by neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of the General Plan;
- H. That the proposed development demonstrates creative and imaginative design, resulting in a visual quality that will complement community character and benefit current and future community residents;
- I. That the approval of the proposed development within a hillside management area, with dwelling units exceeding the number permitted by the low-density threshold in non-urban hillsides and the midpoint of the permitted density range in urban hillsides, is based on the project's ability to mitigate problems of public safety, design and/or environmental considerations, as provided in the Zoning Ordinance and the General Plan;

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Conditional Use Permit as set forth in Sections 22.56.090 and 22.56.215, Title 22, of the Los Angeles County Code (Zoning Ordinance).

#### REGIONAL PLANNING COMMISSION ACTION:

- 1. After consideration of the attached Mitigated Negative Declaration together with any comments received during the public review process, the Regional Planning Commission finds on the basis of the whole record before the Commission that there is no substantial evidence the project will have a significant effect on the environment, finds the Mitigated Negative Declaration reflects the independent judgment and analysis of the Commission, and adopts the Mitigated Negative Declaration and Mitigation Monitoring Program for the project.
- 2. In view of the findings of fact and conclusions presented above, Conditional Use Permit Case No. 99-020-(5) is **APPROVED** subject to the attached conditions and further subject to approval by the Board of Supervisors of Zone Change Case No. 99-020-(5).

#### **CONDITIONAL USE PERMIT NO. 99-020-(5)** **CONDITIONS OF APPROVAL**

- 1. This grant authorizes the use of the 75.06 acre subject property for a maximum of 95 single-family residential lots, 1 park lot, 1 open space lot with a hiking trail easement, and 2 landscape lots in compliance with density-controlled development and hillside management design review criteria, as depicted on the approved Revised Exhibit "A", subject to all of the following conditions of approval.
- 2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning an affidavit stating that they are aware of, and agree to accept, all the conditions of this grant and that the conditions have been

recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Conditions Nos. 6 and 9 and 45. Further, this grant shall not become effective unless and until the Board of Supervisors has approved Zone Change Case No. 99-020-(5) and an ordinance reflecting such change has become effective.

3. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or entity making use of this grant.
4. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
5. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if it finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health or safety or so as to be a nuisance.
6. The subject property shall be developed and maintained in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of **\$1,500.00**. These monies shall be placed in a performance fund, which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **ten (10) biennial inspections**. The inspections shall be unannounced.
7. If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150.00 per inspection).
8. The property owner or permittee shall record the terms and conditions of this grant in the office of the County Recorder concurrently with the recordation of the final map for Vesting Tentative Tract Map No. 52829. In addition, upon any transfer or lease of the subject property during the term of this grant, the property owner or permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee of the subject property.
9. Within fifteen (15) days of the approval date of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing



and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code. The project is not *de minimus* in its effect on fish and wildlife and in order to defray the cost of wildlife protection and management, the applicant is responsible for the payment of fees established by the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current fee amount is \$1275.00.

10. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitation period. The County shall notify the permittee of any claim, action or proceeding and the County shall reasonably cooperate in the defense.
11. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000.00, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
  - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation; and
  - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Los Angeles County Code Section 2.170.010.

12. This grant shall expire unless used within two years after the recordation of a final map for Vesting Tentative Tract Map No. 52829. Unless this grant is used within the time specified, the grant shall expire. In the event that Vesting Tentative Tract Map No. 52829 should expire without the recordation of a final map, this grant shall expire upon the expiration of the tentative map. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect.
13. The subject property shall be graded, developed and maintained in substantial compliance with the approved exhibit map on file marked Revised Exhibit "A." An amended or revised tentative tract map approved for Vesting Tentative Tract Map No. 52829 may, at the discretion of the Director of Planning, constitute a revised

Exhibit "A." All revised plans shall require the written authorization of the property owner.

14. All development shall comply with the requirements of the Zoning Ordinance and of the specific zoning of the subject property, except as specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Planning.
15. The area of individual lots shall substantially conform to that shown on the approved Exhibit "A."
16. This project is approved as a density-controlled development in which the areas of the proposed lots may be averaged to collectively conform to the minimum lot area requirements of the proposed zones in accordance with Los Angeles County Code Section 22.56.205. The associated tentative tract map, Vesting Tentative Tract Map No. 52829, may record in phases as separate final maps, provided that the average area of all lots shown on each final map in conjunction with all previously recorded final maps complies with the minimum area requirements of the zones where lots are proposed with reduced areas.
17. The development of the subject property shall conform to the conditions approved for Vesting Tentative Tract Map No. 52829.
18. All utilities shall be placed underground.
19. No structure shall exceed a height of 35 feet above grade, except for chimneys and rooftop antennas.
20. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.
21. Detonation of explosives or any other blasting devices or material shall be prohibited unless all required permits have been obtained.
22. All grading and construction on the subject property and appurtenant activities, including engine warm-up, shall be restricted to the hours between 7:00 a.m. and 6:00 p.m. Monday through Friday. No Saturday, Sunday or holiday operations are permitted.
23. The permittee shall implement a dust control program during grading and construction to the satisfaction of the Director of Planning and the Director of Public Works.
24. The permittee shall, upon commencement of any grading activity allowed by this permit, diligently pursue all grading to completion.
25. No construction equipment or vehicles shall be parked or stored on any existing public or private streets.

26. No recreational vehicles shall be parked or stored on any street within the development. The permittee shall provide for continuous enforcement of this restriction in the project's covenants, conditions and restrictions.
27. The permittee shall obtain all necessary permits from the Los Angeles County Department of Public Works and shall maintain all such permits in full force and effect throughout the life of this permit.
28. All construction and development within the subject property shall comply with the applicable provisions of the Uniform Building Code and the various related mechanical, electrical, plumbing, fire, grading and excavation codes as currently adopted by the County of Los Angeles.
29. All structures, walls and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the use of the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
30. In the event such extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage no later than 72 hours after such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
31. The permittee shall utilize water-saving devices and technology in the construction of this project to the extent feasible and consistent with Los Angeles County Building and Plumbing Codes.
32. The property shall be developed and maintained in compliance with all applicable requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department.
33. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities including, but not limited to water mains, fire hydrants, and fire flow facilities, shall be provided to the satisfaction of and within the time periods established by said Department.
34. The permittee shall participate in an appropriate financing mechanism to provide funds for fire protection facilities required by new residential developments in an amount proportionate to the demand created by this project.
35. Prior to the issuance of building permits, the permittee shall pay all required school mitigation fees.
36. Prior to the issuance of any grading or building permit, the permittee shall provide evidence, to the satisfaction of the Director of Planning, of payment of the \$100,000

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contribution to the Saugus Union School District for the purchase of playground equipment.

37. No grading equipment shall use Franwood Drive or Urbandale Avenue. Prior to the issuance of any grading permit for on-site grading, the "B" Street connection to Copperhill Drive must be constructed to provide access to the site for purposes of grading.
38. Prior to the issuance of any building permits, including building permits for model homes or related facilities, the permittee shall submit evidence, to the satisfaction of the Director of Planning, that access to the model homes shall be provided only from "B" Street.
39. Prior to the issuance of any grading or building permit, the permittee shall submit to the Director of Planning for review and approval three (3) copies of a revised Exhibit "A" (fully dimensioned, detailed site plan), indicating that the proposed construction and associated grading:
  - a. complies with the conditions of this grant and the standards of the zone; and
  - b. is compatible with hillside resources.

Review of this site plan, within the limits established by geologic and engineering constraints, shall emphasize grading amount and technique, preservation of natural features, landscaping of altered open space and graded slopes, and placement of residences on site.

If the permittee elects to grade in phases, a site plan which does not show walls, parking or building setbacks may be submitted prior to rough grading, provided a subsequent site plan is submitted prior to fine grading or the issuance of building permits.

40. All graded slopes (cut and fill) shall be revegetated. Prior to the issuance of any grading or building permit, three (3) copies of a landscape plan, which may be incorporated into a revised Exhibit "A", shall be submitted to and approved by the Director of Planning before issuance of any building permit. The landscape plan shall show size, type, and location of all plants, trees, and watering facilities. All landscaping shall be maintained in a neat, clean, and healthful condition, including proper pruning, weeding, removal of litter, fertilizing and replacement of plants when necessary.

In addition to the review and approval by the Director of Planning, the landscaping plans will be reviewed by the staff biologist of the Department of Regional Planning and the Los Angeles County Forester and Fire Warden. Their review will include an evaluation of the balance of structural diversity (e.g. trees, shrubs and groundcover) that could be expected 18 months after planting in compliance with fire safety requirements.

The landscaping plan must show that at least 50% of the area covered by

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landscaping will contain only locally indigenous species, including not only trees, but shrubs and ground covering as well. However, if the permittee demonstrates to the satisfaction of the Director of Planning that compliance with this requirement is not possible due to County fire safety requirements, then the Director of Planning may determine that a lower percentage of such planting shall be required. In those areas where the Director of Planning approves a lower percentage, the amount of such required locally indigenous vegetation shall be at least 30%. The landscaping will include trees, shrubs and ground covering at a mixture and density determined by the Director of Planning and the Forester and Fire Warden. Fire retardant plants shall be given first consideration.

**Permitted Plantings.** Trees, shrubs and ground coverings indigenous to the local region may be used for the required 50% landscaping. Fire retardant and locally indigenous plants that may also be used for such required 50% landscaping can be found on the attached list (marked Exhibit "B") compiled by the Los Angeles County Forester and FireWarden. This list may be amended as approved by the Director of Planning.

**Timing of Planting.** Prior to the issuance of building permits for any construction, the permittee shall submit a landscaping phasing plan for the landscaping associated with that construction to be approved by the Director of Planning. This phasing plan shall establish the timing and sequencing of the required landscaping, including required plantings within six months and expected growth during the subsequent 18 months.

The planting shall begin at the time of occupancy of each building. The required planting of new trees, shrubs and ground coverings shall be completed within six months following occupancy.

The approved phasing plan shall set forth goals for the growth of the new plants in order to achieve established landscaping within eighteen months following completion of the required planting. The permittee shall supply information for review by the Director of Planning of the completed landscaping to confirm completion in accordance with the approved landscaping plan. In the event that some plants have not flourished, at the time of review, the Director of Planning may require replacement planting as necessary to assure completion in accordance with such plan.

These requirements shall not apply to areas which have been previously landscaped and irrigated during other phases of development.

41. No grading permit shall be issued prior to the recordation of a final map except as authorized by the Director of Planning.
42. Open space shall comprise not less than 70% of the net area of the project. Pursuant to Section 22.56.215 (J) of the Los Angeles County Code, such open space may include the portions of private yards outside the building pads as depicted on the Exhibit "A;" landscaped areas adjacent to streets and highways; and areas graded for the rounding of slopes to contour appearance.

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43. Concurrent with the recordation of the first final map, record a covenant with the County of Los Angeles agreeing to comply with the required environmental mitigation measures. Prior to recordation, submit a copy of the covenant to the Director of Planning for approval.
44. The environmental mitigation measures are incorporated herein by reference and made conditions of this grant. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit mitigation monitoring reports to the Director of Planning for approval. The reports shall describe the status of the permittee's compliance with the required mitigation measures.

The reports shall be submitted in the following sequence:

- a. Prior to or concurrent with submittal of the revised Exhibit "A" to be approved by the Director of Planning prior to issuance of grading permits.
  - b. At the time of building permit issuance, including verification of payment of applicable fees. If the project is phased, a report shall be submitted at each successive phase.
  - c. Prior to occupancy clearances by the Department of Public Works.
  - d. Additional reports shall be submitted as required by the Director of Planning.
45. Within thirty (30) days of the approval of this grant, the subdivider shall deposit the sum of \$3,000.00 with the Department of Regional Planning to defray the cost of reviewing the subdivider's reports and verifying compliance with the Mitigation Monitoring Program. The permittee shall retain the services of a qualified Environmental/Mitigation Monitoring Consultant, subject to the approval of the Director of Planning, to ensure that all applicable mitigation measures are implemented and reported in the required Mitigation Monitoring Reports.

### **FINDINGS OF THE REGIONAL PLANNING COMMISSION FOR VESTING TENTATIVE TRACT MAP NO. 52829**

1. The Los Angeles County Regional Planning Commission conducted a duly noticed public hearing in the matter of Vesting Tentative Tract Map No. 52829 on December 5, 2001, February 20, 2002, April 10, 2002, June 5, 2002 and September 4, 2002.
2. The applicant is proposing to construct a residential development on the subject property.
3. Vesting Tentative Tract Map No. 52829 is a proposal to subdivide the subject property into 95 single-family residential lots, an approximately 2-acre privately maintained park, an 18.5-acre open space lot with a hiking trail easement, and 2 landscape lots.

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4. The subject site is located at the terminus of Urbandale Avenue and Franwood Drive in the community of Canyon Country.
5. The site is 75.06 acres in size, is irregular in shape and has hilly topography. It is currently undeveloped.
6. The site is zoned A-2-2 (Heavy Agriculture, 2 acre minimum required area). The zoning was established by Ordinance No. 7094, which became effective on February 5, 1957. Concurrent with this approval, however, the Commission has recommended that the Board of Supervisors approve Zone Change Case No. 99-020-(5). If approved by the Board of Supervisors, the subject property will be zoned A-2-1 on 57.02 acres and R-1-7,000 on 18.04 acres. The proposed subdivision is consistent with the A-2-1 and R-1-7,000 zoning classifications in that the proposed single family residences and park are permitted in such zones by Sections 22.20.070 and 22.24.120 of the Los Angeles County Code and a density-controlled development is permitted by Sections 22.20.100 and 22.24.150 subject to approval of a conditional use permit.
7. Surrounding zoning is R-1-5,000, R-1-3,000 and C-2-DP to the north. RPD-1-11U zoning is located to the west. Adjacent to the site at the southeast corner is property zoned A-2-2. Property to the south, east and west of the site is located within the City of Santa Clarita.
8. Properties to the north of the subject property are presently under construction for development of single-family and multi-family residences. Directly west of the site is a 100' wide strip of property owned by the Los Angeles Department of Water and Power containing power lines and pylons. Property west of that is developed with multi-family residences. Property to the east, located within the City of Santa Clarita, is developed with single-family residences. To the south, also within the City of Santa Clarita, is an elementary school and Bouquet Canyon park.
9. The subject property is depicted within the R (Non-Urban) and 1 (Low-Density Residential) categories of the Countywide General Plan. The Santa Clarita Valley Area Plan designates the site as follows:

HM	Hillside Management	47.55 acres
N2	Non-Urban 0.5-1 dwelling unit per acre	5.04 acres
U1	Urban1 1.1-3.3 dwelling units per acre	6.84 acres
U2	Urban 2 3.4-6.6 dwelling units per acre	14.74 acres
U3	Urban 3 6.7-15 dwelling units per acre	.89 acres

14. The U1-designated portion of the subject property and one of the U2-designated portions are located at the north boundary of the site. These areas contain steep hillsides and are less appropriate for development than property in the N2 and HM-designated portions of the site. For this reason, the applicant has requested a conditional use permit to authorize the urban density permitted by these categories to be transferred to other non-urban portions of the site in accordance with the provisions of the General Plan permitting urban to non-urban transfer when topographic and geologic factors justify it. Twenty (20) units are proposed to be

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transferred from the urban area to the non-urban area, from those portions of the site designated U1 and U2 to those designated N2 and HM. The transfer of this number of units is acceptable given the overall number of units and the topographic conditions.

After the density transfer, the project will consist of 52 dwelling units on 52.59 acres of the site designated as non-urban (N2 and HM) and 43 dwelling units on 22.44 acres of the site designated U2 and U3. The density of the proposed project is consistent with the land use classifications of the Santa Clarita Valley Area Plan.

11. Vesting Tentative Tract Map No. 52829 was heard concurrently with Zone Change Case No. 99-020-(5) and Conditional Use Permit Case No. 99-020-(5). Approval of Vesting Tentative Tract Map No. 52829 will not become effective unless and until the Board of Supervisors has adopted an ordinance effecting the change of zone and the ordinance has become effective.
12. Conditional Use Permit Case No. 99-020-(5) is a related request to authorize the proposed development in compliance with density-controlled residential development standards and hillside management design review criteria. A density-controlled development allows lot sizes to be averaged to conform to the minimum lot area requirements of the proposed zones and allows clustering of the units into the least environmentally sensitive areas of the site using smaller lots than are customarily permitted in the zone in which the development is proposed, while retaining the remaining portion of the property in permanent open space. A conditional use permit for development in a hillside management area protects the resources in hillside areas from incompatible development, which may result in or have the potential for environmental degradation and/or destruction of life and property, and ensures to the extent possible that development maintains and, where possible, enhances the natural topography, resources and amenities of the hillside management area while allowing for limited controlled development therein.
13. At the public hearing, the Regional Planning Commission heard staff's presentations, the applicant's presentation and responses and testimony from neighbors opposed to the project due to concerns about traffic impacts, incompatibility with the surrounding community and with the provisions of the draft One Valley, One Vision plan, potential impacts from project lighting and grading, and the over development of the Santa Clarita Valley. In addition, the City of Santa Clarita expressed concerns regarding density, grading and recreational opportunities. The Commission also heard testimony from a representative of the Saugus Union School District in support of the project.
14. Several letters from surrounding neighbors were received in opposition to the project, as was a petition containing approximately 100 signatures mentioning concerns about over development of the Santa Clarita Valley, traffic impacts, especially on Urbandale Avenue and Rosedell elementary school and the project's excessive density. The City of Santa Clarita also submitted a comment letter in opposition to the project. The Saugus Union School District submitted a letter in support of the project.



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15. In response to the Regional Planning Commission's discussion of the proposed One Valley, One Vision plan, the applicant conducted a public information meeting to gather community input.
16. Access to the site is presently provided by Urbandale Avenue and Franwood Drive. Future access to the development will be provided from Franwood Drive and "B" street to Copperhill Drive. No future access will be provided from Urbandale Avenue. The elimination of the future extension of Urbandale Avenue was in response to neighbor's concerns and the Commission's direction. A traffic analysis showing that the elimination of the extension would not negatively impact traffic circulation was reviewed by the Department of Public Works and the Forester and Fire Warden did not object to elimination of the additional access.
17. The applicant has entered into an agreement with the Saugus Union School district, owner of the adjacent property located to the south, to provide street access to the school district property. The agreement also permits off-site grading by the applicant on the school district property.
18. The applicant redesigned the project during the public hearing process to add an approximately 2-acre privately maintained park on-site, provide a hiking easement through the open space lot, and utilize grading more compatible with the existing landform to respond to the concerns expressed by the City of Santa Clarita.
19. The proposed development is compatible with surrounding land use patterns. Residential development surrounds the subject property to the north, east and west with vacant property to the south proposed for a future elementary school.
20. The subject property lies within an urban expansion area and is in compliance with the County's Development Monitoring System in that:
  - b. The proposed development is consistent with the infrastructure portion (Urban Services Analysis) of the Development Monitoring System since there is adequate water service, and sewage discharge capacity will not exceed the Sanitation District's future planned capacity. These services were analyzed as part of the environmental analysis and the resultant environmental document. Appropriate fees will be paid for capital library costs to insure sufficient increased capacity to serve the project's demands. The applicant will also pay the appropriate fees to the Saugus Union School District and the Hart Union High School District, the districts serving the project site.
  - c. The proposed development is consistent with the access portion of the Development Monitoring System since there is adequate road service and commercial and employment facilities located in close proximity. The road service was evaluated as part of the environmental analysis and the resultant environmental document. The proximity to commercial and employment facilities was evaluated as part of the field investigation and/or general plan evaluation.

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- c. The proposed development is consistent with the environmental portion of the Development Monitoring System since there are no significant geotechnical, flood hazard, fire, and or natural resource impacts, and the project does not affect publicly held or privately dedicated open space, as shown in the General Plan. These resources/hazards were evaluated as part of the environmental analysis and the resultant environmental document.
- 21. The estimated water demand for the project is approximately 53 acre feet per year. In order to receive water service, the project will require annexation into the service area of the Santa Clarita Water Company. The Santa Clarita Water Company has submitted a letter indicating that it can and will serve the project.
- 22. The project is one of a number of development projects pending or approved in the Santa Clarita Valley. An analysis of the cumulative effects of all projects anticipated, and accounted for in the County's Development Monitoring System (DMS), shows sufficient water exists to serve these proposed projects
- 23. Ammonium perchlorate, used in the manufacture of solid rocket propellant, was discovered in mid-1997 in four wells pumping from the Saugus Formation. The California State Department of Health Services (State DHS) established a drinking water provisional action level of 18 parts per billion for perchlorate, meaning State DHS will advise utilities to remove the well from service if that level is exceeded. In wells owned by the Santa Clarita Water Company and the Newhall Water Company, levels of perchlorate above this level have been detected. Those wells are currently inactive. The remaining wells drawing from the Saugus Formation are active sources of supply.
- 24. The proposed development, in summary:
  - a. avoids the premature conversion of undeveloped land to urban use because it is proximate to and a natural extension of existing development;
  - b. promotes a distribution of population consistent with service system capacity, resource availability, environmental limitations, and accessibility;
  - c. directs urban development and revitalization efforts to protect natural and man-made amenities and to avoid severe hazard areas, such as flood prone areas, active fault zones, steep hillsides, landslide areas and fire hazard areas;
  - d. encourages the efficient use of land through a more concentrated pattern of urban development, including the focusing of new urban growth into areas of suitable land;

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- e. ensures that new development in urban expansion areas will occur in a manner consistent with stated plans policies and will pay for the marginal public costs that it generates;
  - f. focuses intensive urban uses in an inter-dependent system of activity centers located to effectively provide services throughout the urban area, including adequate transportation facilities; and
  - g. provides for a higher density of housing to meet increasing demand in an area which will have relatively lesser environmental consequences.
- 25. The access to this project is adequate for the needs of future residents and for the deployment of fire fighting and other emergency service equipment in emergency situations.
- 26. The proposed subdivision, and the provisions for its design and improvement, are consistent and compatible with the objectives, goals, policies, general land uses, and programs of the Los Angeles County General Plan, including the Santa Clarita Valley Area Plan. The project concentrates land use growth adjacent to existing urban development and the proposed density transfer allows for preservation of hillsides and flexibility in design.
- 27. This site is suitable physically for the type of development and the density being proposed, since the property has adequate building sites to be developed in accordance with the County grading ordinance, has access to County-maintained streets, will be served by sanitary sewers, will be provided with water supplies and distribution facilities with sufficient capacity to meet anticipated domestic and fire protection needs, and have all flood hazards and geologic hazards mitigated in accordance with the requirements of the Department of Public Works.
- 28. The division and development of the property in the manner set forth on this map will not unreasonably interfere with the free and complete exercise of public entity and/or public utility rights-of-way and/or easements within this map, since the design and development as set forth in the conditions of approval and shown on the tentative map provide adequate protection for any such rights-of-way and easements.
- 29. The design of the subdivision and the type of improvements will not cause serious public health problems since sewage disposal, storm water drainage, fire protection and geologic and soil factors are addressed in the conditions of approval.
- 30. The design of the subdivision and the proposed improvements will not cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat. The subject property is not located in a significant ecological area and does not contain any stream courses or high value riparian habitat.
- 31. The design of the subdivision provides to the extent feasible for future passive or natural heating or cooling opportunities therein, since the lots are of sufficient size so

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as to permit orientation of structures in an east-west alignment for southern exposure or to take advantage of shade or prevailing breezes.

32. The design of the subdivision and the type of improvements will not conflict with public easements for access through or use of property within the proposed subdivision, since the design and development as set forth in the conditions of approval and shown on the tentative map provide adequate protection for any such easements.
33. Pursuant to Article 3.5 of the Subdivision Map Act, the proposed subdivision does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake or reservoir.
34. The discharge of sewage from this land division into the public sewer system will not violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the California Water Code.
35. The housing and employment needs of the region were considered and balanced against the public service needs of local residents and available fiscal and environmental resources when the project was determined to be consistent with the Countywide General Plan and the Santa Clarita Valley Area Plan.
36. This tract map has been submitted as a "Vesting" Tentative Tract Map, and as such, it is subject to the provisions of Section 21.38.010 through 21.38.080 of the Los Angeles County Code (Subdivision Ordinance).
37. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act and the environmental document reporting procedures and guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on biota, archeology and visual resources. Prior to the release of the proposed Mitigated Negative Declaration and Initial Study for public review, the applicant made or agreed to revisions in the project that would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. The Initial Study and project revisions showed that there is no substantial evidence, in light of the whole record before the Commission, that the project as revised may have a significant effect on the environment. Based on the Initial Study and project revisions, the Department of Regional Planning has prepared a Mitigated Negative Declaration for this project. Conditions or changes in the proposed project are necessary in order to ensure the proposed project will not have a significant effect on the environment, and such conditions or changes have been included in the Mitigation Monitoring Program.
38. After consideration of the attached Mitigated Negative Declaration together with any comments received during the public review process, the Regional Planning Commission finds on the basis of the whole record before the Commission that there is no substantial evidence the project will have a significant effect on the environment, finds the Mitigated Negative Declaration reflects the independent

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judgment and analysis of the Commission, and adopts the Mitigated Negative Declaration and Mitigation Monitoring Program for the project.

**THEREFORE**, in view of the findings of fact and conclusions presented above, Vesting Tentative Tract Map No. 52829 is approved subject to the attached conditions established by the Regional Planning Commission and recommended by the Los Angeles County Subdivision Committee, and further subject to approval by the Board of Supervisors of Zone Change Case No. 99-020.

### **DEPARTMENT OF REGIONAL PLANNING VESTING TENTATIVE TRACT MAP NO. 52829**

**Map Date: 10-16-02**

#### **CONDITIONS:**

1. Conform to the applicable requirements of Titles 21 and 22 of the Los Angeles County Code (Subdivision and Zoning Ordinances) including Section 22.20.105 and Section 22.52.1180, and Conditional Use Permit No 99-020-(5).
2. Except as otherwise specified in Condition No. 3 and by Conditional Use Permit No. 99-020-(5), conform to the applicable lot area requirements of the R-1-7,000 and A-2-1 zones.
3. In accordance with Conditional Use Permit No. 99-020-(5), this land division is approved as a density-controlled development in which the areas of the proposed lots may be averaged to collectively conform to the minimum lot area requirements of the R-1-7,000 and A-2-1 zones. If multiple final maps are recorded, the average area of all lots shown on each final map and all previously recorded final maps shall comply with the minimum lot area requirements of the applicable R-1-7,000 and A-2-1 zones.
4. Recordation of the final map is contingent upon the effectuation of an ordinance changing the zoning of the property from A-2-2 to R-1-7000 and A-1-1 as recommended under Zone Change Case No. 99-020-(5).
5. Permission is granted to adjust lot lines to the satisfaction of the Department of Regional Planning.
6. Provide at least 40 feet of street frontage at the property line and approximately radial lot lines for each lot fronting on the knuckles and cul-de-sacs and at least 50 feet of street frontage on all other lots, except on flag lots.
7. Flag lots shall have fee access strips of at least 10 feet in width where contiguous to other strips and 15 feet where not contiguous to other strips. In cases where there are hillside slopes or footings for walls or planters adjacent to the access strips, the width of the access strips shall be sufficient to accommodate the full width of the required driveway paving.

## **Project 99-020 attachments**

8. Provide reciprocal easements over the multiple access strips for the benefit of the lots served. Submit to the Department of Regional Planning for approval a notarized letter agreeing to record the easement documents when the lots are sold and a copy of the easement document.
9. Label all common driveways as "Private Driveway - Fire Lane" on the final map.
10. Construct or bond with the Department of Public Works for the construction of driveway paving on the flag lots, from the street to the building pads, to the satisfaction of the Department of Regional Planning and the Department of Public Works as follows:
  - a minimum of 15 feet in width where serving one residence or 20 feet in width where the driveway is 150 feet in length;
  - a minimum of 20 feet in width where serving two residences; and
  - a minimum of 24 feet in width where serving three residences.
11. Post all common driveways with signs stating "No Parking – Fire Lane" and provide for continuous posting and enforcement of this restriction in the project's covenants, conditions and restrictions (CC&R's) or in a maintenance agreement. Submit a copy of the CC&R's or maintenance agreement to the Department of Regional Planning for approval.
12. Provide for the ownership and maintenance of the common driveways through a maintenance agreement by the owners of the lots served. Submit a copy of the agreement to be recorded to the Department of Regional Planning for approval.
13. Show A through G Streets as private and future streets on the final map.
14. Provide for the ownership and maintenance of the private and future streets by a homeowners' association or a maintenance district, and provide the Department of Regional Planning with a copy of the CC&R's or maintenance agreement for approval.
15. Grant to all persons holding title to lands within the County of Los Angeles and their Heirs, Successors, and Assigns, as their interests may now or hereafter appear of record, a non-exclusive easement for ingress and egress and for road and utility purposes over the private and future streets in this subdivision to the satisfaction of the Department of Regional Planning and the Department of Public Works.
16. Permission is granted to use the alternate cross section to the satisfaction of the Department of Regional Planning and Department of Public Works.
17. Dedicate to the County of Los Angeles residential construction rights over the open space lot (Lot 98), landscape lots (Lots 1 and 95) and the park lot (Lot 99) on the final map to the satisfaction of the Department of Regional Planning.

## **Project 99-020 attachments**

18. Provide at least 15 feet of street frontage or access easement for the open space lot on the final map.
19. Provide for the ownership and maintenance of the park lot (Lot 99) through the homeowner's association or a landscape maintenance district to the satisfaction of the Department of Regional Planning.
20. Provide for the ownership and maintenance of the open space lot (lot 98) and landscape lots (Lots 1 and 95) through the homeowners' association or a landscape maintenance district to the satisfaction of the Department of Regional Planning.
21. Dedicate the hiking trail to the homeowner's association, or other appropriate entity to the satisfaction of the Department of Regional Planning.
22. Permission is granted to create additional open space lots to the satisfaction of the Department of Regional Planning.
23. Dedicate to the County of Los Angeles on the final map the right to prohibit the construction of more than one (1) residence and accessory structures on lots having twice the required area.
24. Provide slope planting and an irrigation system in accordance with the Grading Ordinance. Include conditions in a covenant which would require continued maintenance of the plantings for lots having planted slopes. Submit a copy of the document to be recorded to the Department of Regional Planning for approval.
25. In accordance with Section 21.32.195 of the Los Angeles County Code, the subdivider or his successor shall plant or cause to be planted one tree within the front yard of each residential lot. The location and the species of said tree may be incorporated into the landscape plan to be approved by the Director of Planning and the County Forester and Fire Warden. Prior to final map approval, a bond shall be posted with the Department of Public Works or other verification shall be submitted to the satisfaction of the Department of Regional Planning to insure the planting of the required trees.
26. A final tract map is required for this land division. A waiver is not allowed.
27. Permission is granted to file a parcel map over the property as the first unit final map, provided all lots contain minimum lot areas of 20 acres and all applicable conditions are met to the satisfaction of the Department of Public Works and Department of Regional Planning.
28. Permission is granted to record multiple final maps. The boundaries of the unit final maps shall be to the satisfaction of the Department of Public Works and the Department of Regional Planning. Each final map to record shall comply on its own, or in combination with previously recorded maps, with the open space and lot area

## Project 99-020 attachments

requirements of the General Plan, the Zoning Ordinance and Conditional Use Permit No. 99-020. Prior to approval of each final map submit the following:

- a. A phasing map indicating the boundaries of the current final map, the boundaries and status of all previously filed final maps and the expected boundaries and phasing of all future final maps; and
  - b. A summary sheet indicating the number and type of all lots shown on the current and previous final maps.
29. Within fifteen (15) days of the tentative map approval date, the subdivider shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code. The project is not *de minimus* in its effect on fish and wildlife and in order to defray the cost of wildlife protection and management, the applicant is responsible for the payment of fees established by the California Department of Fish and Game pursuant to Section 711.4 of the California Fish and Game Code. No land use project subject to this requirement is final, vested or operative until the fee is paid. The current fee amount is \$1275.00.
30. Within thirty (30) days of the tentative map approval date, the subdivider shall deposit the sum of \$3,000.000 with the Department of Regional Planning to defray the cost of reviewing the subdivider's reports and verifying compliance with the Mitigation Monitoring Program.
31. Pursuant to Chapter 22.72 of the County Code, the subdivider or his successor in interest shall pay a library facilities mitigation fee to the Los Angeles County Librarian prior to issuance of any building permit in the amount required by Chapter 22.72 at the time of payment and provide proof of payment to the Department of Regional Planning. The current fee amount is \$640.00 per dwelling unit (\$640.00 X 95 dwelling units = \$60,800). The permittee may contact the County Librarian at (562) 940-8430 regarding payment of fees.
32. The mitigation measures set forth in the Mitigation Monitoring Program for the project are incorporated by this reference and made conditions of the tentative map. Record a covenant and agreement, and submit a copy to the Department of Regional Planning for approval, agreeing to the mitigation measures imposed by the Mitigation Monitoring Program for this project. To ensure the effectiveness of the mitigation measures, the subdivider shall submit mitigation monitoring reports to the Department of Regional Planning as frequently as may be required by the department. The reports shall describe the status of the subdivider's compliance with the required mitigation measures.
33. The subdivider shall record the terms and conditions of Conditional Use Permit Case No. 99-020-(5) in the Office of the County Recorder concurrently with the recordation of the first final map.
34. The subdivider shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action or proceeding against the County or



## Project 99-020 attachments

its agents, officers, or employees to attack, set aside, void or annul this tract map approval, or related discretionary project approvals, whether legislative or quasi-judicial, which action is brought within the applicable time period of Government Code Section 66499.37 or any other applicable limitation period. The County shall promptly notify the subdivider of any claim, action or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the subdivider of any claim, action or proceeding, or if the County fails to cooperate fully in the defense, the subdivider shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

35. In the event that any claim, action, or proceeding as described above is filed against the County, the subdivider shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the subdivider or the subdivider's counsel. The subdivider shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
- a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the subdivider shall deposit additional funds to bring the balance up to the amount of initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of litigation.
  - b. At the sole discretion of the subdivider, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by subdivider in accordance with Los Angeles County Code Section 2.170.010.

Except as expressly modified hereinabove, this approval is subject to all those conditions set forth in the attached reports recommended by the Los Angeles County Subdivision Committee.

Los Angeles County Department of Regional  
Planning  
320 West Temple Street, Los Angeles, California 90012  
Telephone (213) 974-6443

**PROJECT No.** 99-020-(5)  
**TRACT MAP NO.** 52829  
**CONDITIONAL USE PERMIT** 99-02  
**ZONE CHANGE** 99-020

RPC/HO MEETING DATE	CONTINU TO
AGENDA ITEM	
PUBLIC HEARING DATE December 5, 2001, February 20, 2002 April 10, 2002, June 5, 2002	

APPLICANT	OWNER	REPRESENTATIVE
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# Project 99-020 attachments

Dentec Holdings		Dentec Holdings		Ron Brown/Daniel Singh	
<b><u>REQUEST</u></b> <u>Tentative Tract Map:</u> To create 97 single family lots and 1 open space lot <u>Zone Change:</u> A request to change the existing A-2-2 zoning to A-2-1 and R-1-7,000 <u>Conditional Use Permit:</u> To authorize a density controlled development and to ensure compliance with hillside management design review criteria					
<b>LOCATION/ADDRESS</b>  Northerly of the terminus of Urbandale Avenue and westerly of the terminus of Franwood Avenue  <b>ACCESS</b>  From Urbandale Avenue			<b>ZONED DISTRICT</b> Newhall		
			<b>COMMUNITY</b> Saugus		
			<b>EXISTING ZONING</b> A-2-2		
<b>SIZE</b> 75.06 acres	<b>EXISTING LAND USE</b> Vacant		<b>SHAPE</b> Irregular	<b>TOPOGRAPHY</b> Hilly	
<b><u>SURROUNDING LAND USES &amp; ZONING</u></b>					
<b>North:</b> Single-family residences			<b>East:</b> Single-family residences/R-1-6,500 (City of Santa Clarita)		
<b>South: Public Park/Elementary school</b> <b>Single-family residences/R-1-6,500</b> <b>(City of Santa Clarita)</b>			<b>West:</b> Utility Powerlines		
		<b>DESIGNATION</b>	<b>MAXIMUM</b>	<b>CONSISTEN</b>	
Los Angeles Countywide General Plan		Low Density Residential (1-6 du/ac)  Non urban			
Santa Clarita Valley Area Plan		U1,N2, U2, U3, HM	165		HM CUP required

**Project 99-020 attachments**

**ENVIRONMENTAL STATUS**

Mitigated Negative Declaration

**DESCRIPTION OF SITE PLAN**

The tentative tract map depicts the 97 single family residences taking access from Urbandale Avenue via a system of gated private and future cul-de-sac streets of 60' in width. The lots range in size from 7,418 square feet to 64,988 square feet. The majority of the lots are in the 15,000- 20,000 square foot range. One 18.5 acre open space lot is located to the north of the single-family lots.

**KEY ISSUES**

- Transfer of urban density to a designated non-urban area
- Gated street design

*(If more space is required, use opposite side)*

**TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS**

STAFF CONTACT PERSON		
RPC HEARING DATE (S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING)		
SPEAKERS*	PETITIONS	LETTERS
(O) (F)	(O) (F)	(O) (F)

*\*(O) = Opponents (F) = In Favor*

## Project 99-020 attachments

### **ZONE CHANGE NO. 99-020-(5) CONDITIONAL USE PERMIT NO. 99-020-(5) VESTING TENTATIVE TRACT MAP NO. 52829**

### **STAFF ANALYSIS FOR DECEMBER 5, 2001 REGIONAL PLANNING COMMISSION PUBLIC HEARING**

#### **PROJECT OVERVIEW**

Dentec Holdings, the applicant, requests approval of: **Zone Change Case No. 99-020-(5)** to change the existing A-2-2 (Heavy Agricultural-2 acre minimum lot size) to A-2-1 (Heavy Agricultural-1 acre minimum lot size) on 57.02 acres and R-1-7,000 (Single-Family residential-7,000 square foot minimum lot area) on 18.04 acres, **Conditional Use Permit Case No. 99-020-(5)** to authorize a density controlled development and to ensure compliance with hillside management design review criteria and **Vesting Tentative Tract Map 52829** to create 97 single family and 1 open space lot on 75.06 acres.

#### **DESCRIPTION OF PROJECT PROPERTY**

##### **LOCATION**

The project site is located northerly of the terminus of Urbandale Avenue and westerly of the terminus of Franwood Avenue in the Saugus community of the Newhall Zoned District.

##### **PHYSICAL FEATURES**

The subject property is 75.06 acres in size, irregular in shape with hilly topography, which is very steep in places. According to the slope analysis prepared for the project, approximately 25 acres of the site has slopes of 50% or greater.

##### **ACCESS**

Access to the site is presently provided from Urbandale Avenue located to the south and from Franwood Street located to the east.

#### **ENTITLEMENTS REQUESTED**

##### **ZONE CHANGE**

The applicant is requesting a change of zone from the existing A-2-2 to A-2-1 on 57.02

## **Project 99-020 attachments**

acres and R-1-7,000 on 18.04 acres.

### **CONDITIONAL USE PERMIT**

The applicant is requesting the approval of Conditional Use Permit 99-020-(5) to authorize a density controlled (clustered) development in which the area of the proposed lots may be averaged to conform to the minimum lot area requirements of the zone and to ensure compliance with hillside management design review criteria.

### **TENTATIVE TRACT MAP**

The applicant is requesting approval of Vesting Tentative Tract Map 52829 to create 97 single-family and 1 open space lot on the subject property.

### **EXISTING ZONING and CURRENT AND SURROUNDING USES**

The subject property is zoned A-2-2 (Heavy agricultural--2 acre minimum lot size) This designation permits agricultural uses and single-family residences on lots with a minimum of 2 acres. The property was originally zoned A-2-2 by Ordinance 7094 effective February 5, 1957.

The property northerly of the project site is zoned R-1-5,000, R-1-3,000 and C-2-DP and is presently under construction for development of single-family and multi-family residences approved by Tentative Tract 47657. Directly west of the site is a 100 foot strip of property owned by the Los Angeles Department of Water and Power containing power lines and pylons. Property west of the DWP strip is developed with condominium units. South of the project site, in the City of Santa Clarita, is Bouquet Canyon Park and an elementary school.

Property to the east of the project site, also within the City of Santa Clarita, is developed with single-family residences.

### **PROJECT DESCRIPTION**

The tentative tract map depicts the site subdivided into 97 single-family lots and 1 open space lot of 18.5 acres. The single-family residences are clustered in the southern and eastern portions of the site with the open space lot in the northern part of the property.

The single-family residences take access from a system of **gated**, private and future streets. Gates are located at the project entrances at Urbandale Avenue and Franwood Avenue and at the proposed B street entrance at the DWP property. "B" street crosses the DWP property and connects with Copper Hill Drive.

Lot sizes range from 7,418 square feet to 64,988 square feet. Most of the lots are in the range of 11,000 square feet to 17,000 square feet.

Proposed grading includes 1,000,000 cubic yards of cut and fill to be balanced on site.

## **Project 99-020 attachments**

### **BURDEN OF PROOF**

The applicant has submitted burdens of proof in support of the zone change and conditional use permit.

#### **ZONE CHANGE**

The applicant states that the existing zoning is an inconsistent "island" due to the higher density zoning of the surrounding properties. The property is surrounded by residential development and the existing A-2-2 zoning is no longer consistent with the urbanizing character of the area.

#### **CONDITIONAL USE PERMIT**

The applicant states that the proposed project is compatible with the natural resources of the areas and it will adhere to mitigation recommendations. There are no geologic, seismic, slope instability, fire, flood or erosion hazards associated with the project.

The applicant's burden of proof statements are attached.

### **ENVIRONMENTAL DOCUMENTATION**

Impact Analysis staff prepared a mitigated negative declaration for the project. Staff determined that there is no substantial evidence that the proposed project will have a significant effect on the environment provided the following conditions are met:

#### **Archaeology**

If buried resources are unearthed, work must be halted and a qualified archaeologist shall be retained to monitor construction.

#### **Biota**

The applicant shall enter into an agreement with the California Department of Fish and Game, shall conduct bird surveys during the breeding season and shall submit landscaping plans for review by the Department's senior biologist.

### **ZONING CONSISTENCY**

The project has been designed as a density controlled, or clustered development, where the area of the proposed lots may be averaged to conform to the minimum lot area requirements of the proposed zones, A-2-1 and R-1-7,000.

57.02 acres of the project site are located within the proposed A-2-1 zoning designation. A maximum of 57 units may be developed on that portion of the site. The applicant is proposing 53 units and 18.5 acres of open space. The A-2-1 zoning is generally proposed

## **Project 99-020 attachments**

on the portions of the site designated as non-urban (Hillside Management and N2).

18.04 acres are proposed for R-1-7,000 zoning. This zoning is requested on the portions of the site designated for urban density by the Santa Clarita Valley Area Plan. Within that portion of the site where the R-1-7,000 zoning is requested, a maximum of 112 units may be permitted. The applicant is proposing a total of 44 units which is consistent with zoning regulations.

The proposal is in conformance with the provisions of section 22.56.205 of the Los Angeles County Code which permits the clustering design.

### **GENERAL PLAN CONSISTENCY**

The Countywide General Plan designates the project site as Non-Urban and Low Density Residential.

The Santa Clarita Valley Area Plan designates the site as follows:

HM	Hillside Management	47.55 acres
N2	Non-Urban	5.04 acres
U1	Urban 1	6.84 acres
U2	Urban 2	14.74 acres
U3	Urban 3	.89 acres

The slope analysis prepared for the project indicates that the low-density threshold is 68.59 dwelling units and the maximum density permitted is 165 dwelling units. A Conditional Use Permit is required to authorize the proposed 97 dwelling units.

The U1 designated property and one of the U2 designated portions are located at the northerly boundary of the site. These designations were established with the 1990 amendment to the Santa Clarita Area Plan for the adjacent tract. These areas contain steep hillsides and are less appropriate for development than property in the southerly portion of the site. For this reason the applicant requested that the urban density permitted by these categories be transferred to other non-urban portions of the site. 20 units are proposed to be transferred from the urban to the non-urban area. The transfer of this number of units is acceptable given the overall number of units and the topographic conditions.

In non-urban areas it is recommended that density not exceed 1 dwelling unit per acre. 52.59 acres of the site are designated non-urban (HM and N2) and a total of 53 dwelling units are proposed. This is consistent with this recommendation.

### **STAFF ANALYSIS**

## **Project 99-020 attachments**

Tentative Tract 52829 was originally proposed for a 181 single-family residential development. Staff counseled the applicant that such density would not be acceptable given the Non-urban designations of the property. The applicant redesigned the project by reducing the proposed density to 97 units to be consistent with the provisions of the Santa Clarita Valley Area Plan. Design changes, including the provision of the additional access at "B" Street and concentration of development to reduce the amount of grading were also made.

The project site is surrounded by residential development, either existing or under construction, in an area which has recently been rapidly urbanizing. Recent roadway improvements in the area include the extensions of Copper Hill Drive and Plum Canyon Road.

The proposed gated design of the project is not in the best interest of overall community circulation. While the residents of the project would be able to exit via Urbandale Avenue and Franwood Avenue the gated design will deny residents of adjacent neighborhoods the ability to utilize the roads within the project to more quickly access locations which now require a circuitous route. The applicant should be asked to discuss the necessity of the proposed gated design.

### **COMMENTS RECEIVED**

Staff has received several phone calls concerning this project. Neighbors expressed concerns that case materials were not available for review at the local library. Materials were sent to the Canyon Country library and staff received verification that they were received. However, as the library was in the process of moving, materials were not available for review. Neighbors who called were sent the materials for review.

Other comments received from neighbors concerned proposed off-site grading near Franwood Avenue, increased traffic, impacts on the existing school on Urbandale Avenue near Bouquet Canyon, and the impact of the gated design on local circulation.

Additional comments were received from:

Bowie, Arneson, Wiles & Giannone representing the William S. Hart School District. In their letter dated April 19, 1999 they refer to the originally proposed 181 unit project and state that the project would have a significant adverse impacts on school facilities.

The City of Santa Clarita commented on the original 181 unit project stating that the City's General Plan would encourage 2 acre lot sizes be maintained, that the gated access should be discouraged and that the steep slopes should be maintained as open space easements. The City also requested that an Environmental Impact Report be prepared.

More recently received letters on the current proposal were received from the Castaic Town Council indicating they had no comment and from H.W. Stokes discussing water quality issues.



## **Project 99-020 attachments**

### **STAFF RECOMMENDATION**

The following recommendation is subject to change based on oral testimony or documentary evidence submitted during the public hearing process.

Staff recommends that: the Regional Planning Commission conduct the public hearing, and if it agrees that the project is consistent with the provisions of the Santa Clarita Valley Area Plan and that the project is in keeping with good community design, that the Regional Planning Commission approve Vesting Tentative Tract Map 52829 and Conditional Use Permit 99-020-(5) and the Mitigated Negative Declaration prepared for the project.

### **SUGGESTED MOTION**

**"I move that the Regional Planning Commission indicate its intention to approve Zone Change Case No. 99-020-(5), Conditional Use Permit Case No. 99-020-(5) and Vesting Tentative Tract Map No. 52829 and the Mitigated Negative Declaration prepared for the project and direct staff to prepare findings and conditions for approval.**

#### **Attachments:**

- Mitigated Negative Declaration
- Burdens of Proof
- Tentative Tract Map 52829
- Draft Conditions
- Project booklet prepared by the applicant
- Thomas Guide Page 4461 C/4
- Land Use Map (in booklet)

February 14, 2002

TO: Regional Planning Commission

FROM: Ellen Fitzgerald, Principal Regional Planning Assistant  
Land Division Section

SUBJECT: **ZONE CHANGE 99-020-(5)**  
**CONDITIONAL USE PERMIT 99-020-(5)**  
**VESTING TENTATIVE TRACT MAP 52829**

At the public hearing on December 5, 2001, the Commission heard testimony from community residents concerned about the proposed project's potential impacts on their neighborhood. Residents were worried about increased traffic volume, impacts on surrounding infrastructure including schools and sewage treatment facilities, change of existing street design from cul-de-sac to through streets, and possibility of off-site grading on their property. The Commission directed the applicant to meet with the community to discuss their concerns and continued the public hearing to February 20, 2002.

### **Community Meetings**

The applicant conducted two community meetings, on December 21, 2001 and January 14, 2002. Details on the meetings are included in the attached letter from the project applicant. Staff spoke with neighbors prior to the first public meeting but has had no additional contact since then.

### **Saugus School District Property**

The Saugus Union School District's Bouquet Canyon Elementary School site is located adjacent to the proposed project. The school district has requested access through the project site from the northerly boundary of their property. The project applicant has discussed this issue with the school district and has agreed to provide access. The applicant is determining a feasible access point and will be able to present that location to the Commission at the continued public hearing. In connection with the proposed access, the school district indicates that it will enter into a revocable agreement with the applicant to grant a landscape easement and to establish a Fair Share School Impact Mitigation payment. At this time, the proposed agreement between the applicant and the school district is conceptual in nature and will require further refinement and action by the Saugus Union School District's Board. A copy of the letter from the Saugus School District is attached.

### **Correspondence**

The city of Santa Clarita was sent case materials and has reviewed them and submitted a letter commenting on the project. The city's letter, dated February 14, 2002, states that the City's General Plan designates the site RE (Residential Estate) and that a theoretical

## **Project 99-020 attachments**

maximum of 38 units is permitted. The City suggests that contour grading be incorporated to reduce impacts to hillsides, that the project be redesigned to a lesser density to reduce impacts to the surrounding streets and school and that the open space lot be developed as an accessible park. The City's letter is attached.

Also attached is an updated will-serve letter from the Santa Clarita Water Company, as well as letters from The Gas Company, Time Warner Communications, and Southern California Edison concerning their servicing of the site and a letter and a draft Fair Share Mitigation Agreement from the William S. Hart Union High School District.

March 21, 2002

TO: Regional Planning Commission

FROM: Ellen Fitzgerald, Acting Section Head  
Land Division Section

SUBJECT: **ZONE CHANGE 99-020-(5)**  
**CONDITIONAL USE PERMIT 99-020-(5)**  
**VESTING TENTATIVE TRACT MAP 52829**

The continued public hearing on this project was continued from February 20, 2002 to April 10, 2002. The Commission directed staff to meet with the applicant and the city of Santa Clarita to discuss outstanding issues. A meeting was held on March 14, 2002 and the applicant's proposed changes were presented. County and city staff also discussed the concerns of the surrounding neighbors related to proposed density, traffic impacts and circulation.

Since that meeting, staff has received a letter from the Saugus Union School District regarding their adjacent property and from the applicant providing a synopsis of the process they have followed thus far.

Copies of these letters are attached for your information. Additional information on this project will be provided in your packages prior to the April 10, 2002 continued hearing

April 4, 2002

TO: Esther L. Valadez, Chair  
Harold V. Hesley, Commissioner  
Leslie G. Bellamy, Commissioner  
Wayne Rew, Commissioner  
Pat Modugno, Commissioner

FROM: Ellen Fitzgerald  
Land Divisions Section

**SUBJECT: ZONE CHANGE 99-020-(5)  
CONDITIONAL USE PERMIT 99-020-(5)  
TENTATIVE TRACT MAP 52829-(5)**

The subject project was heard by the Regional Planning Commission on December 5, 2001 and continued to February 20, 2002. On February 20, the Commission heard testimony from neighbors of the surrounding community and from the city of Santa Clarita. The neighbors expressed their concern that the proposed project would bring additional traffic to their existing streets. They were also concerned about the safety of their children and impacts on Rosedell Elementary school. The city of Santa Clarita staff indicated that they would like to see the open space area developed as usable recreational land, preferred that grading be more compatible with the existing landform and recommended a reduction in density.

The Regional Planning Commission requested the applicant consider the recommendations of the city and directed him and Department staff to meet with Santa Clarita staff. The public hearing was then continued to April 10, 2002.

The following is a summary of activities which have occurred since February 20, 2002.

- On March 14, 2002 the applicant met with the Santa Clarita and County staff. The applicant presented their proposal for a 1.7 acre park site adjacent to "B Street". They also provided information on their proposed changes to grading. There was no discussion of a reduction in the number of residential units proposed.
- The applicant has expressed some frustration concerning the disagreement between the neighbors and the city and county staff on proposed access to the project site. The neighbors on Urbandale Avenue would prefer that no additional vehicles be allowed to use their street for access. County and city staff would prefer to see the three access points, from Copper Hill to B Street, Franwood Avenue and Urbandale Avenue be provided as ungated streets.
- The Saugus School District has reiterated their desire for access via the project to their site. Though the specifics of exactly where this access will be provided have yet to be finalized, it would be appropriate for the applicant to be required to return with a revised map at such time that the location is determined.

## **Project 99-020 attachments**

- The applicant has redesigned lots #86 and 87 in response to concerns regarding fuel modification requirements.
- Staff spoke with neighbors and discussed the outcome of the meeting with the applicant and city staff.

You have previously been sent correspondence from the applicant and the Saugus School District. No additional written comments have been received.

Attached are exhibits showing the proposed park site and grading changes. Also attached is a modified tentative map showing the redesigned lots #86 and 87.

April 17, 2002

TO: Esther L. Valadez, Chair  
Harold V. Helsley, Commissioner  
Leslie G. Bellamy, Commissioner  
Wayne Rew, Commissioner  
Pat Modugno, Commissioner

FROM: Ellen Fitzgerald  
Land Divisions Section

**SUBJECT: PROJECT 99-020  
ZONE CHANGE 99-020  
CONDITIONAL USE PERMIT 99-020  
TENTATIVE TRACT MAP 52829**

During the public comment period on April 17, 2002 the project applicant appeared before the Commission to request that the project be placed back on the Commission's schedule. You will recall that the project was taken off calendar on April 10, 2002 when the Commission discovered that the draw-down account for the processing of the project was in arrears.

On April 17, 20002 the applicant presented a check to the administrative services section to eliminate the negative balance and bring the account current. A copy of the receipt for payment is attached. Therefore, the applicant's request to reschedule the project's public hearing has been scheduled as a discussion and possible action item on the April 24, 2002 agenda.

On April 24, the Commission's schedule will need to be consulted to determine an appropriate hearing date. If the Commission chooses to reschedule the project for public hearing, the following motion may be used:

**I move that the Regional Planning Commission schedule the public hearing on Zone Change 99-020, Conditional Use Permit 99-020 and Tentative Tract Map 52829 for (the date determined to be acceptable) and direct staff to properly notice the new hearing date.**